

REMARKS

Claims 1-32 remain pending in the application. Reconsideration is respectfully requested in view of the following remarks.

Restriction Requirement

On March 31, 2006, Applicants filed a petition under 37 CFR 1.144 from the restriction requirement made final in the Office Action dated September 21, 2005. Applicants maintain that the restriction requirement is improper for at least the reasons stated in the petition. **A decision on the petition is hereby respectfully requested.**

Section 102(e) Rejection:

The Examiner rejected claims 15, 19-22 and 24-26 under 35 U.S.C. § 102(e) as being anticipated by Sijacic et al. (U.S. Publication 2002/0184123) (hereinafter “Sijacic”). Applicants respectfully traverse the rejection for at least the following reasons.

In regard to claim 15, Sijacic does not teach an electronic **purchasing approval system**, comprising, in part, a line item approval module, in response to **receiving a particular purchase requisition associated with a particular purchasing request**, for **processing approval of a plurality of items specified in said particular purchasing requisition on a line-by-line basis**, wherein one or more approvers are identified for each of the plurality of items, wherein said processing approval comprises presenting to a particular approver only those items for which the particular approver is identified, and **wherein the items for which the particular approver is identified are less than all of the plurality of items specified in said particular purchasing requisition**. The Examiner asserts on page 2 of the Final Office Action that Sijacic discloses, e.g. Figs. 1A-13, an Electronic Information Presentment and Payment (EIPP) system that provides

an automatic line item approval of particular purchases where notification may be done by e-mail, e.g. 240A, and a process manager, e.g. 000, 100, 200, 300.

The Examiner appears to have misinterpreted the teachings of Sijacic. Contrary to the Examiner's assertion, Sijacic does not teach a system that provides "an automatic line item *approval of particular purchases*." To the contrary, Sijacic discloses approval of payments for goods or services already provided. In the Abstract, Sijacic discloses:

A system and method for **performing Electronic Invoice Presentment and Payment (EIPP) dispute resolution processing** with line item granularity is disclosed. A server makes available to a purchasing entity one or more **invoices that each contain one or more line items that have been provided by a providing entity**. A designated approver associated with the purchasing entity approves or rejects the line items and submits these decisions to the server. In response to disputed line items, the server initiates a dispute resolution process that includes making an indication of the disputed line items available to the providing entity, facilitating a provider resolution process whereby resolvers associated with the provider may dispute or approve the disputed line items reflected in the indication, and making the results of the provider resolution process available to the purchasing entity. (emphasis added)

Sijacic further discloses in Paragraph [0077] that the approval process corresponds to *approving a payment* for the goods or services provided:

Once the approvals are complete (Step 435A; YES), the process determines if any of the line items are marked for dispute. If there are items that are in dispute (Step 440A; YES), the process invokes a sub-process that sends the disputed items to the providing entity for resolution (Step 445A). **The approved items are marked approved for payment by a designated account payable process** that may be designated by the purchasing entity (Step 450A). Details of the dispute resolution process is described later with reference to FIG. 4E. (emphasis added)

As shown above, Sijacic's system pertains to invoices and approving payments for goods or services that have been provided as indicated by each line of a particular invoice.

Contrary to Sijacic's system, the system of claim 15 pertains to line item approval of a particular purchase requisition associated with a particular purchasing request.

By definition, a purchase requisition is for items that have not yet been purchased or invoiced. Clearly, deciding whether an invoice line item (associated with goods or services that have already been provided) should be approved for payment or sent to a

dispute resolution process **is not the same as** *processing approval of a plurality of items specified in a particular purchasing requisition on a line-by-line basis* for items that have not yet been purchased, as recited by claim 15. **Sijacic fails to mention anything at all about purchase requisitions.**

An *invoice* is clearly not the same as a *purchase requisition* as recited in claim 15. For example, invoices, such as Sijacic's, indicate goods or services *that have already been provided*. To the contrary, a purchase requisition indicates something *to be provided* if approved for purchase. Sijacic confirms that each invoice line item corresponds to a good or service that has *already been provided* in paragraphs [0011] and [0012] shown below:

Methods, systems and articles of manufacture consistent with the present invention enable a provider to provide information associated with invoices corresponding to one or more purchasers to a server. The invoices may include **one or more line items that designate goods and/or services provided by the provider. The line items may designate particular departments within a purchaser that received the goods and/or services.**

Additionally, methods, systems and articles of manufacture enable the server to **structure the invoice information received by the provider by line items and the departments indicated by the line items**. When a designated approver for a particular department of a purchaser requests to review invoice data that have been reviewed by subordinate approvers, the server presents a list of invoices directly associated with the designated approver's corresponding department. (emphasis added)

Furthermore, Sijacic explicitly states a line item of the invoice corresponds to a purchase that has already occurred and that a manager approves the purchase for payment or not in Paragraph [0108]:

As shown, FIG. 9 includes an invoice 900 of line items 610 and 630 included in invoice 600 (labeled "eCompany 1002") that correspond to department 100. Invoice 900 may include detailed information associated with each line item such as a SKU number, quantity, total amount of line item purchase, approving department, purchase order number, cost code associated with purchasing entity 220A and approval status. **Manager 100 may review each line item and determine whether they should be approved for payment or not. If for example, manager 100 determines**

that the PBX switch components indicated in the first line item was not an authorized purchase for department 100, that line item may be disputed. Manager 100 may select an action selector 910 that indicates manager 100's decision to dispute the purchase. (emphasis added)

Sijacic gives a clear example of a manager determining whether or not the purchase of PBX switch components of a first line item was an authorized purchase for department 100. Thus, Sijacic clearly describes line items **that have already been purchased** and that a manager determines whether or not to approve **payment** for the purchases or dispute the purchase. To the contrary, line items of a purchase requisition correspond to *items to be purchased* if approved for purchase, not *items that have already been purchased* and are awaiting approval of payment. **Sijacic fails to mention, in the cited portions or elsewhere, anything at all about purchase requisitions.** Thus, Sijacic fails to teach or suggest all of the limitations of claim 15.

Applicants remind the Examiner that **anticipation** under § 102 requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The **identical** invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Sijacic fails to disclose processing approval of a plurality of items specified in a particular purchasing requisition on a line-by-line bases. Therefore, Sijacic cannot be said to anticipate claim 1.

Thus, for at least the reasons presented above, the rejection of claims 19-22 and 24-26 is improper and removal thereof is respectfully requested.

Section 103(a) Rejection:

The Examiner rejected claims 16-18, 23 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Sijacic and Official Notice. Applicants respectfully traverse the rejection for at least the following reasons.

The Sijacic patent is not prior art to the present application for rejections under 35 U.S.C. § 103. At the time the invention was made, the subject matter of present application and the Sijacic patent were both owned by or subject to an obligation of assignment to the same assignee, Sun Microsystems, Inc. Therefore, according to 35 U.S.C. § 103(c), Sijacic is excluded as prior art for rejections under 35 U.S.C. § 103.

Furthermore, the Examiner takes official notice that “computer databases transferring data in an electronic payment system using a graph generator and a dummy file have been common knowledge in the art.” Pursuant to M.P.E.P. § 2144.03, Applicant traverses the Examiner’s taking of official notice. Applicant asserts that computer databases transferring data in an electronic payment system using a graph generator and a dummy file were not well known in the art, nor has the Examiner presented any documentary evidence in support of his assertion. Pursuant to M.P.E.P. § 2144.03 Applicant asserts that **“the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained.”** See also 37 CFR 1.104(c)(2), (d)(2) and *In re Zurko*, 258 F.3d 1379, 1386 (Fed. Cir. 2001).

Thus, for at least the reasons presented above, the rejection of claims 16-18, 23 and 27 is improper and removal thereof is respectfully requested.

CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90200/RCK.

Also enclosed herewith are the following items:

- ☐ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Robert C. Kowert/

Robert C. Kowert, Reg. #39,255

ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8850

Date: November 15, 2006